

**COMMITTEE ON SPECIAL PERMITS
MONDAY, JULY 13, 2020 at 6:08 p.m.
WOBURN CITY HALL
CITY COUNCIL CHAMBERS**

Voting members present: Chairman pro tem Edward Tedesco, Alderman Joanne Campbell, Alderman Jeffrey Dillon, and Alderman Darlene Mercer-Bruen. Absent: Chairman Richard Gately

Non-voting members present: Alderman Lindsay Higgins, Alderman Michael Concannon, Alderman Robert Ferullo and President Michael Anderson

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Reading of meeting minutes of May 26, 2020: Motion made by Alderman Mercer-Bruen and seconded by Alderman Campbell to approve the minutes of the previous meeting; in favor, 4-0.

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Tesla Inc., 3500 Deer Creek Road, Palo Alto, California 94304 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.56 to allow installation of twelve (12) Tesla charging posts, four (4) Level 2 charging posts, transformer, one (1) switchgear, three (3) Tesla superchargers, electrical equipment, underground conduit and related equipment at 101 Commerce Way: Representing Tesla, Inc. was Edward Noseworthy, Charging Installation Manager, Northeast Region, 6900 Dumbarton Circle, Fremont, CA. Chairman pro tem Tedesco said there was email received in regard to the petition, from John Harris, Bedford, MA; and Steven Myers, no address given. Motion made by Alderman Mercer-Bruen and seconded by Alderman Campbell to accept the aforementioned email and make them part of the permanent record; in favor, 4-0. Motion made by Alderman Mercer-Bruen and seconded by Alderman Dillon to accept a relevant memorandum dated June 17, 2020, from City Solicitor Ellen Callahan Doucette and make it part of the permanent record; in favor, 4-0. Alderman Mercer-Bruen said she has made it very clear she supports this use. She said electric cars are going to be prevalent in the future. She said her struggle is with how the application got here. She said City Solicitor Callahan Doucette gave the council a little leeway, but when the council has changed the rules in the past to accommodate one petitioner, it has come back to bite them. She said the petitioner needs to file the petition as an amendment to the existing special permit. She said if that is the path the petitioner takes; she will support it 100 percent. Motion made by Alderman Mercer-Bruen and seconded by Alderman Campbell to suspend the rules to allow the petitioner's representative to address the committee; in favor, 4-0. Mr. Noseworthy said he thinks Alderman Mercer-Bruen's comments address the crux of the petitioner's issue. He said ultimately Tesla wants to submit this for approval in a manner the council best sees fit. He said he thinks the nuts and bolts of the operation were explained during the last hearing. He asked if Tesla can submit an application in time for consideration at the next meeting. Alderman Dillon asked the clerk if the petition can get on the agenda. Clerk responded Tesla must submit an application by Thursday at 1 p.m. to be included on the agenda for the council's meeting on July 21. Motion made by Alderman Mercer-Bruen

and seconded by Alderman Campbell to allow members of the council who are not on the committee to address the petitioner; in favor, 4-0. President Anderson asked if the charging stations will be limited to use by Tesla vehicles. Mr. Noseworthy said there are 16 stations, 12 of which will be used exclusively by Tesla, and the other four are universal. President Anderson said the universal charging stations are a critically important component for him. Mr. Noseworthy said the universal charging stations were enumerated in the application. Alderman Higgins asked if the universal charging stations can be also used by Tesla vehicles. Mr. Noseworthy said Tesla vehicles can use any of the charging stations. He said the four universal stations can be used by any vehicle. President pro tem Tedesco asked if the committee wishes the petitioner to proceed with the accessory use or a modification to the special permit. Alderman Mercer-Bruen said the petitioner should proceed with the amendment to the special permit. Chairman pro tem Tedesco said if that is the case the petitioner should submit a letter asking to withdraw the request for an accessory use. He said he does not want the petitioner to get to the next meeting to discover there are not six affirmative votes for a modification to the special permit. Alderman Higgins said it is crucial for the petitioner to submit an updated plan for the site. She also requested the submission of a letter indicating Target as the landowner has signed off on the application. Chairman pro tem Tedesco said he would defer to the ward alderman. Alderman Concannon said he will be supportive of an amendment to Target's special permit. He said the law of unintended consequences with an accessory use is an issue. He said a modification to the special permit is the correct way of proceeding. Chairman pro tem Tedesco said he spoke to Chairman Gately, who he said prefers a modification to a special permit. He said the best course of action is to withdraw the application for an accessory use and re-file the petition as a modification to the special permit. He said the application must be filed by 1 p.m. on Thursday to be included on the agenda for the council's meeting on July 21. Mr. Noseworthy asked when the letter asking for a withdrawal of the accessory use petition should be filed. Chairman pro tem Tedesco said that can also be filed with the application for the modification to the special permit for consideration on July 21. Chairman pro tem Tedesco said the petitioner can send an email to the Clerk of Committees or the City Clerk. Mr. Noseworthy said he would email a letter to the clerk. Motion made by Alderman Mercer-Bruen and seconded by Alderman Campbell to return to the regular order of business; in favor, 4-0.

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Motion made by Alderman Mercer-Bruen and seconded by Alderman Campbell to adjourn; in favor, 4-0. Chairman pro tem Tedesco adjourned the meeting at 6:20 p.m.

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees